

## REMARKS

Claims 1-20 and 22 are pending. Claims 1-19 and 22 have been withdrawn from consideration by the Examiner for being drawn to a non-elected invention. By this Amendment, Claim 20 is amended. As support for the amendments can be found on page 22, lines 12-27, page 63, line 15 to page 64, line 5, and Figure 24 of the originally filed application, Applicants respectfully submit that no new matter is submitted herein.

### Drawings

The drawings are objected to for failing to show all of the features of Claim 20. Applicants respectfully submit Figure 24 illustrates all of the features recited by pending Claim 20. Withdrawal of the objection is respectfully requested.

### Claim Rejections – 35 U.S.C. §102

Claim 20 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,200,224 to Sugiyama et al. ("Sugiyama"). Applicants respectfully traverse the rejection.

Claim 20 recites a constant velocity universal joint including, among other features, tilt suppressing means including outer peripheries of rollers, shaped into arcuate convex sections having centers of curvature spaced from lines parallel to axes of the rollers in a radial direction of each roller assembly by a clearance ( $\Delta t$ ), wherein the lines pass through the contact portions.

Applicants respectfully submit that Sugiyama does not disclose or suggest such a feature.

Rather, Applicants respectfully submit Sugiyama discloses the center of curvature O of the spherical outer peripheral surface 3b of an outer ring 3 ***coincides***

with a sliding contact region S. See column 7, lines 17-19 and Figure 5 of Sugiyama. In other words, Sugiyama does not teach or even suggest that the center of curvature O is spaced from the sliding contact region S in a radial direction of the roller assembly (3, 6, and 7) by a clearance ( $\Delta t$ ), wherein the sliding contact region S is defined by at least one line passing through a contact portion between the trunnion and the roller assembly. Therefore, Sugiyama is not able to reduce tilting moments acting on the roller assemblies in a manner as does the invention recited by Claim 20.

To qualify as prior art under 35 U.S.C. §102, a reference must teach, i.e., identically describe, each feature of a rejection claim. As explained above, Sugiyama fails to teach or suggest each and every feature recited by Claim 20. Therefore, Applicants respectfully submit Claim 20 is not anticipated by, or rendered obvious in view of, Sugiyama.

As such, Applicants respectfully submit Claim 20 should be deemed allowable and the rejection withdrawn.

### **Double Patenting**

Claim 20 is rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-9 of Sugiyama. The Office Action asserts that although the conflicting claims are not identical, they are not patentably distinct from each other because the constant velocity joint in Claim 20 is covered by the patented claims. Applicants respectfully traverse the rejection.

Applicants note Sugiyama is discussed above. Further, Applicants note that each of Claims 1-9 of Sugiyama **require** that the center of curvature O of the outer periphery of the torque transmitting member be positioned to ***coincide with*** the sliding

contact region S. Claim 20 recites, among other features, tilt suppressing means including outer peripheries of rollers, shaped into arcuate convex sections having centers of curvature ***spaced from*** lines parallel to axes of the rollers in a radial direction of each roller assembly ***by a clearance ( $\Delta t$ )***, wherein the lines pass through the contact portions. Applicants respectfully submit that the supposedly conflicting claims are not coextensive in scope and therefore are not drawn to the same invention. Accordingly, Applicants respectfully submit the rejection is improper and should be withdrawn.

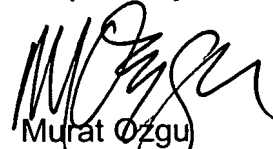
### **Conclusion**

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objection and rejections, allowance of Claim 20, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 100725-00120.**

Respectfully submitted,



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